IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3382 OF 1991

Larsen & Toubro Ltd. .. Petitioner
V/s
Union of India & Ors. .. Respondents

Mr.Prakash Shah for the Petitioner.
Mr.H.V.Mehta for Respondents.

CORAM: S.RADHAKRISHNAN &
J.P.DEVADHAR, JJ.

DATE : 03.02.2005.

P.C.:

1. Heard the learned Counsel for the parties. At the time of admission of the Petition, the following order was passed by this Court:-

> 1. Rule. Returnable on 17th Feb.1992. Respondents waive service. Respondents to refund to the Petitioners the sum of Rs.1,91,242/- on the Petitioners satisfying the Respondents that the incidence of duty has not been passed on to any other person under provisions of Central Excise & Customs Laws (Amendment) Act 1991 on production of required documents and subject to verification.
> 2. Certified copy expedited.

2. The learned Counsel for the Petitioner fairly states that the Petitioner could not produce the documents to show that the Petitioner has not passed on the benefits to the consumer. The matter has already been adjudicated. In the adjudication proceedings, the claim of the Petitioner for refund was rejected. In view thereof, nothing further survives in this petition.

Hence, Rule stands discharged. Petition stands dismissed.

(S.RADHAKRISHNAN,J.)

(J.P.DEVADHAR,J.)